MINUTES OF THE ORGANIZATIONAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA
NOVEMBER 2, 2020

[Pursuant to a proclamation issued by Governor Kay Ivey on March 18, 2020, elected officials are allowed to
meet remotely by means of Internet video or telephone conference and the public was invited to listen to,
observe, or participate in the meeting by such means. The elected officials met in-person and by way of
Internet videoconference and allowed the public to listen, observe and participate by the same means.]

The City Council of the City of Mountain Brook, Alabama, met in special public session to conduct its
organizational meeting as required by the laws of the State of Alabama in the City Hall Council Chambers
(Room A108) of the City of Mountain Brook on Monday, the 2nd day of November 2020, at 8:00 a.m.

The meeting was called to order by the Council member-elect William S. Pritchard III and the roll was
called with the following results:

Present: Gerald A. Garner
          William S. ("Billy") Pritchard III
          Lloyd C. Shelton
          Virginia C. Smith
          Alice B. Womack (Internet videoconference)
          Stewart H. Welch III

Absent: None

Also present were City Attorney Whit Colvin, City Manager Sam Gaston, and City Clerk Steven Boone.

1. INTRODUCTION OF K. C. HAIRSTON

City Manager Sam Gaston introduced Mountain Brook Municipal Court Judge K. C. Hairston who will administer the oaths of office.

Judge Hairston then administered the oaths of office to Council members Garner and Smith and
Mayor Welch (Appendix 1) who then assumed their respective roles on the City Council.

2. ELECTION OF OFFICERS

Council member Pritchard made a motion that Council member Smith be appointed City Council
President. The motion was seconded by Council member Shelton. Thereupon, Council member Smith called
for vote with the following results:

Ayes: Virginia C. Smith
          Gerald A. Garner
          William S. ("Billy") Pritchard III
          Lloyd C. Shelton
          Alice B. Womack

Nays: None

Council President Smith declared that the motion is hereby adopted by a vote of 5—0.

Council President Smith then made a motion that Council member Pritchard be appointed City Council
President Pro Tempore. The motion was seconded by Council member Garner. Thereupon, Council President
Smith called for vote with the following results:
Ayes: Virginia C. Smith  
William S. ("Billy") Pritchard III  
Gerald A. Garner  
Lloyd C. Shelton  
Alice B. Womack

Nays: None

Council President Smith declared that the motion is hereby adopted by a vote of 5—0.

3. CONSENT AGENDA

Council President Smith announced that the following matters will be considered at one time on the consent agenda provided no one in attendance objects:

2020-185 Adopt of the rules of order and procedure  
Exhibit 1

2020-186 Appoint the City Attorney(s) (Bishop, Colvin, Johnson & Kent and Starnes, Davis & Florie, LLP)  
Exhibit 2

2020-187 Motion appointing Council representatives to the:  
Exhibit 3

Motion

- Planning Commission (voting member)-Philip E. Black (Council representative)
- Board of Zoning Adjustment (liaison)-Gerald A. Garner
- Parks and Recreation Board (liaison)-Virginia C. Smith
- O’Neal Library Board (liaison)-Lloyd C. Shelton
- Board of Education (liaison)-William S. Pritchard III
- Finance Committee (voting member)-Lloyd C. Shelton
- Villages Design Review Committee (liaison)-Alice B. Womack
- Editorial Board-Gerald A. Garner
- Board of Landscape Design (liaison)-Virginia C. Smith
- Chamber of Commerce (liaison)-Alice B. Womack
- Parking Committee-Gerald A. Garner
- Municipal judges-Stewart Welch III
- Public safety departments-Stewart Welch III
- All In Committee (voting member)-William S. Pritchard III

2020-188 Appoint the members of the Mountain Brook City Council as the Board of Commissioners of the Mountain Brook Emergency Communication District and nomination of the Chairman (Virginia C. Smith) of the Emergency Communication District Board  
Exhibit 4

2020-189 Reaffirm the prior removal (Resolution No. 2015-142) of all elected officials of the City of Mountain Brook from the covered employee classification with respect to the City’s Local Government Health Insurance Plan (LGHIP)  
Exhibit 5

Thereupon, the foregoing motion and resolutions were introduced by Council President Smith and a motion for their immediate adoption was made by Council President Pro Tempore Pritchard. The motion and resolutions were then considered by the City Council. Council member Shelton seconded the motion to adopt the foregoing motion and resolutions. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith  
William S. ("Billy") Pritchard III  
Gerald A. Garner  
Lloyd C. Shelton  
Alice B. Womack
Nays: None

Council President Smith thereupon declared that said motion (No. 2020-187) and resolutions (Nos. 2018-185, 186, 188 and 189) are adopted by a vote of 5—0 and as evidence thereof she signed the same.

4. CONSIDERATION: ORDINANCE (NO. 2084) APPOINTING THE CITY MANAGER (EXHIBIT 6)

Council President Smith introduced the ordinance in writing. It was then moved by Council member Shelton that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended and that unanimous consent to the immediate consideration of said ordinance be given and that the reading of the ordinance at length be waived. The motion was seconded by Council President Pro Tempore Pritchard and was unanimously carried, as follows:

Ayes: Virginia C. Smith
William S. ("Billy") Pritchard III
Gerald A. Garner
Lloyd C. Shelton
Alice B. Womack

Nays: None

Council President Smith declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council President Pro Tempore Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council President Smith. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia C. Smith
William S. ("Billy") Pritchard III
Gerald A. Garner
Lloyd C. Shelton
Alice B. Womack

Nays: None

Council President Smith declared that the ordinance (No. 2084) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

5. CONSIDERATION: ORDINANCE (NO. 2085) APPOINTING THE CITY CLERK (EXHIBIT 7)

Council President Smith introduced the ordinance in writing. It was then moved by Council President Pro Tempore Pritchard that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended and that unanimous consent to the immediate consideration of said ordinance be given and that the reading of the ordinance at length be waived. The motion was seconded by Council President Smith and was unanimously carried, as follows:

Ayes: Virginia C. Smith
William S. ("Billy") Pritchard III
Gerald A. Garner
Lloyd C. Shelton
Alice B. Womack

Nays: None

Council President Smith declared the motion carried by a vote of 5—0.
After said ordinance had been considered in full by the Council President Pro Tempore Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council President Smith. Thereupon, Council President Smith called for vote with the following results:

**Ayes:**
- Virginia C. Smith
- William S. ("Billy") Pritchard III
- Gerald A. Garner
- Lloyd C. Shelton
- Alice B. Womack

**Nays:**
- None

Council President Smith declared that the ordinance (No. 2085) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

**6. CONSIDERATION: ORDINANCE (NO. 2086) APPOINTING THE CITY TREASURER (EXHIBIT 8)**

Council President Smith introduced the ordinance in writing. It was then moved by Council President Pro Tempore Pritchard that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended and that unanimous consent to the immediate consideration of said ordinance be given and that the reading of the ordinance at length be waived. The motion was seconded by Council President Smith and was unanimously carried, as follows:

**Ayes:**
- Virginia C. Smith
- William S. ("Billy") Pritchard III
- Gerald A. Garner
- Lloyd C. Shelton
- Alice B. Womack

**Nays:**
- None

Council President Smith declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council President Pro Tempore Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council President Smith. Thereupon, Council President Smith called for vote with the following results:

**Ayes:**
- Virginia C. Smith
- William S. ("Billy") Pritchard III
- Gerald A. Garner
- Lloyd C. Shelton
- Alice B. Womack

**Nays:**
- None

Council President Smith declared that the ordinance (No. 2086) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

**7. CONSIDERATION: ORDINANCE (NO. 2087) APPOINTING THE ASSISTANT CITY TREASURER (EXHIBIT 9)**

Council President Smith introduced the ordinance in writing. It was then moved by Council President Pro Tempore Pritchard that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended and that unanimous consent to the immediate consideration of said ordinance be given and that the reading of the ordinance at length be waived. The motion was seconded by Council President Smith and was unanimously carried, as follows:
Ayes: Virginia C. Smith  
William S. ("Billy") Pritchard III  
Gerald A. Garner  
Lloyd C. Shelton  
Alice B. Womack

Nays: None

Council President Smith declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council President Pro Tempore Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Womack. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia C. Smith  
William S. ("Billy") Pritchard III  
Gerald A. Garner  
Lloyd C. Shelton  
Alice B. Womack

Nays: None

Council President Smith declared that the ordinance (No. 2087) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

8. INAUGURATION OF THE AFOREMENTIONED OFFICERS

Judge Hairston then administered the oaths of office to Sam Gaston, Steven Boone, William F. Angell and Leigh Ann Sisson (Appendix 2), who then assumed their respective duties as officers of the City of Mountain Brook.

9. ANNOUNCEMENT: THE NEXT MEETING OF THE CITY COUNCIL

Council President Smith announced that the next meeting of the Mountain Brook City Council will be held on November 9, 2020 at 7:00 p.m. (internet video information to be announced). Please visit the City’s web site (www.mtnbrook.org) for more information.

10. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the organizational meeting of the City Council of the City of Mountain Brook, Alabama in-person and by Internet videoconference on November 2, 2020, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

Steven Boone  
City Clerk Approved by  
City Council November 9, 2020
RESOLUTION NO. 2020-185

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby adopts the Rules of Order and Procedure as follows:

"DIVISION 2. - RULES OF ORDER AND PROCEDURE

Sec. 2-56. - Meetings.

(a) Rules of procedure. Meetings of the city council shall be conducted in accordance with the applicable statutes of the state, as implemented by the rules of procedure contained in this article.

(b) Time and place of regular meetings; special meetings. Meetings of the council shall be held at the city hall or such other places within the city limits as the council may determine.

(1) Regular meetings shall be at such times as determined by the council.
(2) Written or oral notice of the time of any special meeting of the council as authorized by Code of Ala. 1975, § 11-43-5 shall, unless such meeting is announced at a regular meeting of council, be given to the city manager and to each councilmember at least 12 hours in advance of the meeting. The failure of any of them to receive such notice shall not invalidate an action taken at such meetings if:

a. Such person is present at the meeting or, either before or after the meeting, waives notice thereof; or

b. Such action is ratified at a subsequent meeting of the council.

The business that may be transacted at a special meeting shall not be limited to the item indicated in the notice. To the extent practicable, notice of a special meeting shall also be given to the mayor and the clerk, but the failure of either or both of them to receive such notice shall not impair the validity and efficacy of the business transacted at the meeting.

(c) Attendance and participation of mayor, city manager and other city officials; addressing council.

(1) The mayor and the city manager shall have the privilege of participating in the council's discussions and deliberations, but the right to make motions and to vote is limited to councilmembers.
(2) Persons other than the councilmembers, mayor and city manager shall be allowed to address the council while in session only with the permission of and under the conditions and limitations prescribed by the council president. Any such person shall, when first recognized, state his name, address and, if applicable, the person or group represented; he shall identify himself again by name each subsequent time he is recognized.
(3) Meetings shall be attended by the city clerk, the city attorney and such other officers, agents or employees of the city as the council may from time to time determine.

(d) Order of business. The order of business shall be as directed by the council president, however, any councilmember may make additions to the agenda.

EXHIBIT 2

RESOLUTION NO. 2020-186

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, as follows:

The law firm of Bishop, Colvin, Johnson & Kent is hereby appointed as City Attorney for the City of Mountain Brook, Alabama, to serve at the pleasure of the City Council at a retainer fee of $15,000 per month. Said fees are to compensate the City Attorney for the regular and customary legal services performed for said City, such as attendance at City Council meetings, advice to the Mayor, Council, and employees, and preparation of ordinances and resolutions; said salary not to operate as compensation for extraordinary or unusual services, such as handling municipal bond issues, public improvements, litigation, and the like for which said attorney shall be paid such additional compensation as may be fixed by the Council.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the law firm of Starnes, Davis & Florie, LLP is hereby appointed as City Attorney for the City with respect to litigation services to be billed at their standard hourly rates, to serve at the pleasure of the City Council.

EXHIBIT 3

MOTION NO. 2020-187

2020-187 Motion

Appoint Council representatives as follows:

Planning Commission (voting member)
- Philip E. Black (council representative)

Board of Zoning Adjustment (liaison)
- Gerald A. Garner

Parks and Recreation Board (liaison)
- Virginia C. Smith

Emmet O’Neal Library Board (liaison)
- Lloyd C. Shelton

Board of Education (liaison)
- William S. Pritchard III

Finance Committee (voting member)
- Lloyd C. Shelton

Villages Design Review Committee (liaison)
- Alice B. Womack

Editorial Board
- Gerald A. Garner

Board of Landscape Design (liaison)
- Virginia C. Smith

Chamber of Commerce (liaison)
- Alice B. Womack

Parking Committee
- Gerald A. Garner

Municipal judges
- Stewart H. Welch III

Public safety departments
- Stewart H. Welch III

All In Committee (voting member)
- William S. Pritchard III

EXHIBIT 4

RESOLUTION NO. 2020-188

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby appoints the five (5) members of the Mountain Brook City Council to serve as the Board of Commissioners of the Mountain Brook Emergency Communications District of the City.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby appoints the Council President to serve as the Chairman of the Board of Commissioners of said District.

EXHIBIT 5
RESOLUTION NO. 2020-189

BE IT RESOLVED by the City Council of the City of Mountain Brook that the City Council hereby reaffirms the prior removal (Resolution No. 2015-142) of all elected officials of the City of Mountain Brook from the covered employee classification with respect to the City's Local Government Health Insurance Plan (LGHIP) (Re: LGHIPN19M).

EXHIBIT 6

ORDINANCE NO. 2084

ORDINANCE APPOINTING THE
CITY MANAGER OF THE CITY OF MOUNTAIN BROOK

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, as follows:

1. Sam Gaston is hereby appointed and employed as City Manager of the City of Mountain Brook, Alabama, to serve at the pleasure of the Council or until his successor be duly appointed.

2. His duties shall be as now or hereafter fixed by the laws of the State of Alabama and by the ordinances of the City of Mountain Brook, Alabama, and such other duties as may be delegated to him from time to time by the Council.

3. He shall give bond with sureties in the penal sum of $20,000.00, the premiums for which shall be paid by, and be the expense of the City, the same to be conditioned as provided in Section 11-43-21(c), Code of Alabama, 1975.

EXHIBIT 7

ORDINANCE NO. 2085

ORDINANCE APPOINTING THE
CITY CLERK OF THE CITY OF MOUNTAIN BROOK

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, as follows:

1. Steven Boone is hereby appointed as City Clerk of the City of Mountain Brook, Alabama, to serve at the pleasure of the Council or until his successor be duly appointed.

2. His duties as such City Clerk shall be as now or hereafter fixed by the laws of the State of Alabama and by the ordinances of the City of Mountain Brook, Alabama, and such other duties as may be delegated to him from time to time by the Council.

3. His duties as City Clerk shall be in addition to those incident to the position in the classified civil service in which he is or may hereafter be employed; and his compensation, both for such civil service position and as City Clerk, shall be that established for the civil service position under the schedules of the Personnel Board of Jefferson County as implemented by the City Council from time to time for classified employees of the City.

4. He shall give bond with sureties in the penal sum of $20,000.00, the premiums for which shall be paid by, and be the expense of, the City. The bond shall be subject to approval by the Mayor.
EXHIBIT 8

ORDINANCE NO. 2086

ORDINANCE APPOINTING THE
CITY TREASURER OF THE CITY OF MOUNTAIN BROOK

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, as follows:

1. William F. Angell is hereby appointed as City Treasurer of the City of Mountain Brook, to serve without compensation and at the pleasure of the Council or until his successor be duly appointed.

2. He shall give bond with sureties in the penal sum of $5,000.00, the premium for which shall be paid by, and be the expense of the City. The bond shall be subject to approval by the Mayor.

EXHIBIT 9

ORDINANCE NO. 2087

ORDINANCE APPOINTING THE
ASSISTANT CITY TREASURER OF THE CITY OF MOUNTAIN BROOK

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, as follows:

1. Leigh Ann Sisson is hereby appointed as Assistant City Treasurer of the City of Mountain Brook, Alabama, to serve without compensation at the pleasure of the Council or until her successor be duly appointed.

2. The Assistant Treasurer shall furnish a surety company bond in an amount approved by the City Council for the faithful performance of his duties in the safe custody of the funds of the City. Such bond shall be signed by good and sufficient sureties to be approved by the Mayor. The premium for such bond shall be paid by the City from its General Fund.
STATE OF ALABAMA
JEFFERSON COUNTY
CITY OF MOUNTAIN BROOK

I, Virginia Caruthers Smith, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Virginia Caruthers Smith

Sworn to and subscribed before me this 2nd day of November, 2020.

K. C. Hunter, Judge
Municipal Court of Mountain Brook

STATE OF ALABAMA
JEFFERSON COUNTY
CITY OF MOUNTAIN BROOK

I, Gerald A. Garner, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Gerald A. Garner

Sworn to and subscribed before me this 2nd day of November, 2020.

K. C. Hunter, Judge
Municipal Court of Mountain Brook

STATE OF ALABAMA
JEFFERSON COUNTY
CITY OF MOUNTAIN BROOK

I, Stewart H. Welch III, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Stewart H. Welch III

Sworn to and subscribed before me this 2nd day of November, 2020.

K. C. Hunter, Judge
Municipal Court of Mountain Brook
OATH OF OFFICE (ORDINANCE NO. 2084)

STATE OF ALABAMA
JEFFERSON COUNTY
CITY OF MOUNTAIN BROOK

I, Sam S. Grimes, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, as long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Sam S. Grimes

Sworn to and subscribed before me this 2nd day of November, 2020.

K. C. Houston, Judge
Municipal Court of Mountain Brook

OATH OF OFFICE (ORDINANCE NO. 2085)

STATE OF ALABAMA
JEFFERSON COUNTY
CITY OF MOUNTAIN BROOK

I, Steven Boone, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, as long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Steven Boone

Sworn to and subscribed before me this 2nd day of November, 2020.

K. C. Houston, Judge
Municipal Court of Mountain Brook

OATH OF OFFICE (ORDINANCE NO. 2086)

STATE OF ALABAMA
JEFFERSON COUNTY
CITY OF MOUNTAIN BROOK

I, William F. Angell, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, as long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

William F. Angell

Sworn to and subscribed before me this 2nd day of November, 2020.

K. C. Houston, Judge
Municipal Court of Mountain Brook

OATH OF OFFICE (ORDINANCE NO. 2087)

STATE OF ALABAMA
JEFFERSON COUNTY
CITY OF MOUNTAIN BROOK

I, Leigh Ann Simmons, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, as long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Leigh Ann Simmons

Sworn to and subscribed before me this 2nd day of November, 2020.

K. C. Houston, Judge
Municipal Court of Mountain Brook
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